

FILED

JUN 02 2015

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK ROBERT QUIROZ,)	No. C 11-0016 LHK (PR)
Plaintiff,)	ORDER
v.)	
D. BARNEBURG, et al.,)	
Defendants.)	

Plaintiff, a state prisoner proceeding *pro se*, filed a third amended civil rights case against defendants. On March 31, 2015, the court granted in part and denied in part defendants' motions for summary judgment. The court referred the case to Magistrate Judge Nathanael Cousins for settlement proceedings. The court also referred the case to the Federal Pro Bono Project to find counsel to represent plaintiff pro bono during the settlement proceedings and for trial. However, after an extensive search, the Federal Pro Bono Project informed the court that it has been unable to locate counsel willing to represent plaintiff at this juncture in the proceeding.

The court is aware that normally, in prisoner cases in which the plaintiff is proceeding *pro se*, the court will not locate counsel for pro bono appointment unless and until settlement proceedings are unsuccessful and trial is set to occur. Thus, despite the Federal Pro Bono Project's attempts to locate counsel to represent plaintiff at the settlement proceeding, no pro

1 bono counsel has been identified as willing to do so at this time.

2 In light of these circumstances, plaintiff shall proceed *pro se* at settlement proceedings.
3 Judge Cousins shall coordinate a time and date for a settlement conference with all interested
4 parties or their representatives. If these settlement proceedings do not resolve this matter,
5 plaintiff may file a renewed motion for appointment of counsel, and the court will set this matter
6 for trial.

7 IT IS SO ORDERED.

8 DATED: 6/1/2015

Lucy H. Koh
LUCY H. KOH
United States District Judge